



PUBLIC NOTICE

US Army Corps
of Engineers
Baltimore
District

In Reply to Application Number
CENAB-OP-RMN(HA PARKS & REC/UPPER BUSH
RIVER/DREDGING)06-63828-7

PN-06-61

Comment Period: 20 November 2006 to 20 December 2006

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC ABOUT THE WORK DESCRIBED BELOW. AT THIS TIME, NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED.

The Baltimore District has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (33 U.S.C 1344) and State authorization pursuant to the Tidal Wetlands Act and/or Nontidal Wetlands Protection Act, as described below:

APPLICANT: *Harford County Department of Parks & Recreation*
702 North Tollgate Road
Bel Air, MD 21014

LOCATION: *Bush River, Harford County, Maryland*

WORK: To dredge, by hydraulic or mechanical method, eight main channel segments, totaling 19,666 linear feet of channel, and ranging from 30 feet to 50 feet wide, to a depth of - 4.0 feet to - 5.0 feet mean low water (MLW). The 42 private spur channels included with the project will range in depth from -3.0 feet to -5.0 feet MLW relative to the spur locations along the channel segments. The resulting approximately 44,549 cubic yards of dredged material from the main channel segments is to be deposited, together with the approximately 36,798 cubic yards of dredged material from the 42 spur channels, at a proposed dredged material placement (DMP) site on Fords Lane, Harford County, Maryland. The proposed dredging project area is approximately 36 acres; 987,761 square feet for the main channel segments and 591,094 square feet for the 42 spur channels. The proposed dredging will also impact approximately 7.6 acres of submerged aquatic vegetation, primarily *Hydrilla verticillata*. The purpose of the project is to improve navigable access. The proposed project lies in or adjacent to essential fish habitat (EFH) as described under the Magnuson-Stevens Fishery Conservation and Management Act for several species of anadromous fish, including *Scophthalmus aquosus* (windowpane flounder), *Pomatomus saltatrix* (blue fish), *Peprilus triacanthos* (Atlantic butterfish), *Paralichthys dentatus* (summer flounder), *Centropristus striata* (black sea bass), *Sciaenops ocellatus* (red drum), *Scomberomorus cavalla* (king mackerel), *Scomberomorus maculatus* (spanish mackerel), and *Rachycentron canadum* (cobia). The project has the potential to adversely effect EFH by causing the loss of spawning and nursery habitat. Certain mitigative measures, such as time-of-year restrictions, will be included to reduce adverse effects to EFH. ***Plans for specific spurs are available upon request***

All work is to be completed in accordance with the enclosed plan(s). If you have any questions concerning this matter, please contact Mr. Phil Cwiek at (410) 962-6010.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above.

Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act from the Maryland Department of the Environment. Any written comments concerning the work described above which relate to water quality certification must be received by the Standards and Certification Division Maryland Department of the Environment, Montgomery Park Business Center, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland 21230-1708 within the comment period as specified above to receive consideration. Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the District Engineer, US Army Corps of Engineers, Baltimore District, PO Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified above to receive consideration. The 401 certifying agency has a statutory limit of one year to make its decision.

The applicant has certified in this application that the proposed activity complies with and will be conducted in a manner consistent with the Maryland Coastal Zone Program. This certification statement is available for inspection in the District Office; however, public comments relating to consistency must be received by the Coastal Zone Division, Maryland Department of the Environment, Montgomery Park Business Center, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland, 21230-1708, within the comment period as specified above. It should be noted that CZ Division has a statutory limit of 6 months in which to make its consistency determination.

The applicant must obtain any State or local government permits which may be required.



A preliminary review of this application indicates that the proposed work will not affect listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

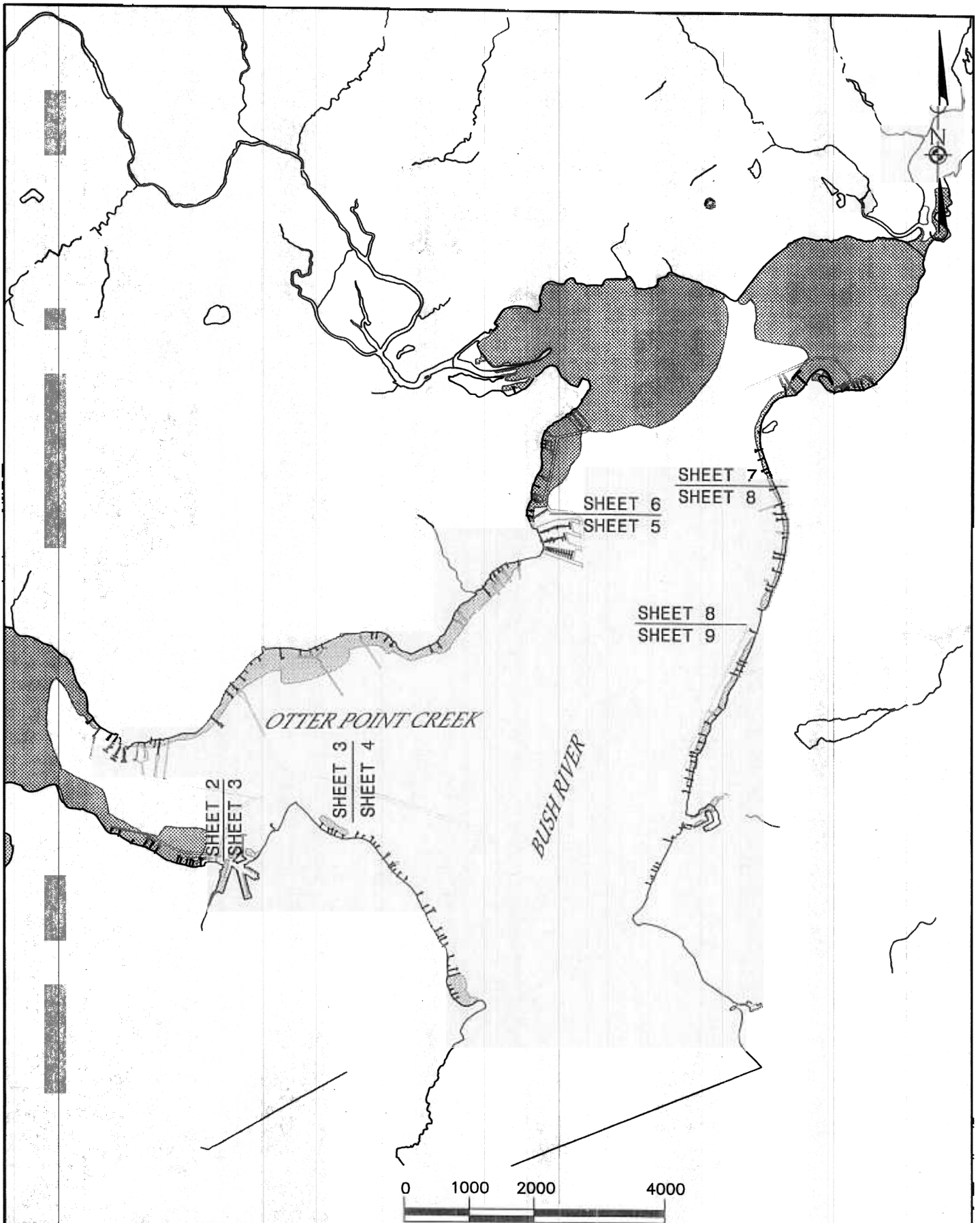
Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion therein are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act. Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received by the District Engineer, US Army Corps of Engineers, Baltimore District, PO Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified as above to receive consideration. Also, it must clearly state forth the interest which may be adversely affected by this activity in the manner in which the interest may be adversely affected.

It is requested that you communicate the foregoing information concerning the proposed work to any persons known by you to be interested and not being known to this office, who did not receive a copy of this notice.

FOR THE DISTRICT ENGINEER:


 SANDRA A. ZELEN
Acting Chief, Maryland Section Northern



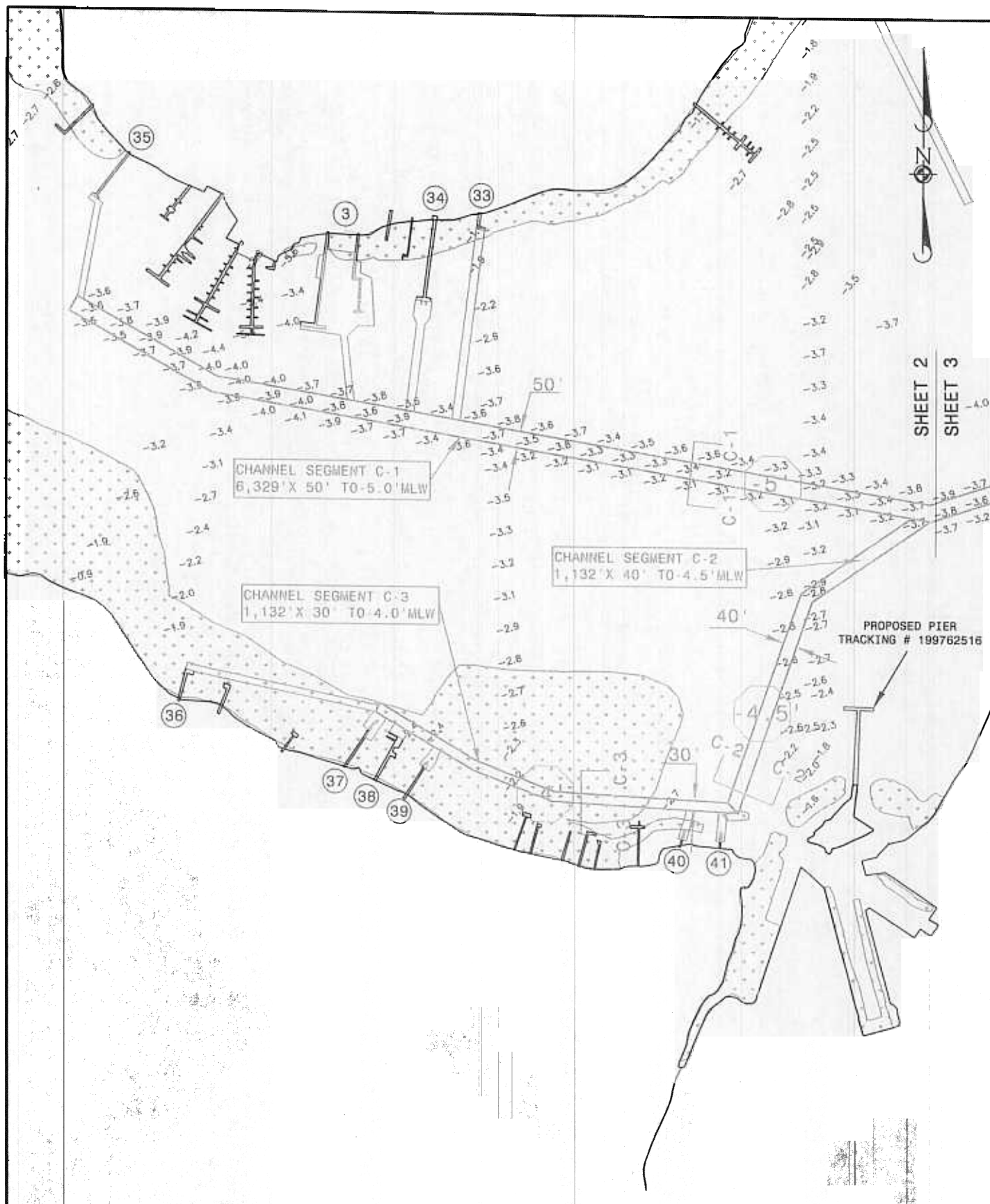
LEGEND			
	PROPOSED COUNTY CHANNEL		PROPOSED PIER BY OTHERS OR PROPOSED PIER EXTENSION BY OTHERS
	COMPOSITE SAV BED OF SPRING AND SUMMER SAV		PROPOSED SPUR CHANNEL

1 Inch = 2000 Feet

REVISED JULY 2006 SHEET 1 OF 12

BayLand
 Consultants & Designers, Inc.
"Integrating Engineering and Environment"
 1321 Mercedes Drive, Suite C Phone: (410) 694-9401
 Hanover, Maryland 21076 Fax (410) 694-9405

UPPER BUSH RIVER &
 OTTER POINT CREEK
 MAIN CHANNEL



SHEET 2
SHEET 3

LEGEND

- | | |
|-------------------------|--|
| PROPOSED COUNTY CHANNEL | COMPOSITE SAV BED OF SPRING AND SUMMER SAV |
| PROPOSED CHANNEL DEPTH | PROPOSED PIER BY OTHERS OR PROPOSED PIER EXTENSION BY OTHERS |
| SOUNDINGS BY MD DNR | SPUR APPLICANT NUMBER |
| PROPOSED SPUR CHANNEL | |

0 200 400 800

1 Inch = 400 Feet

REVISED JULY 2006 SHEET 2 OF 11

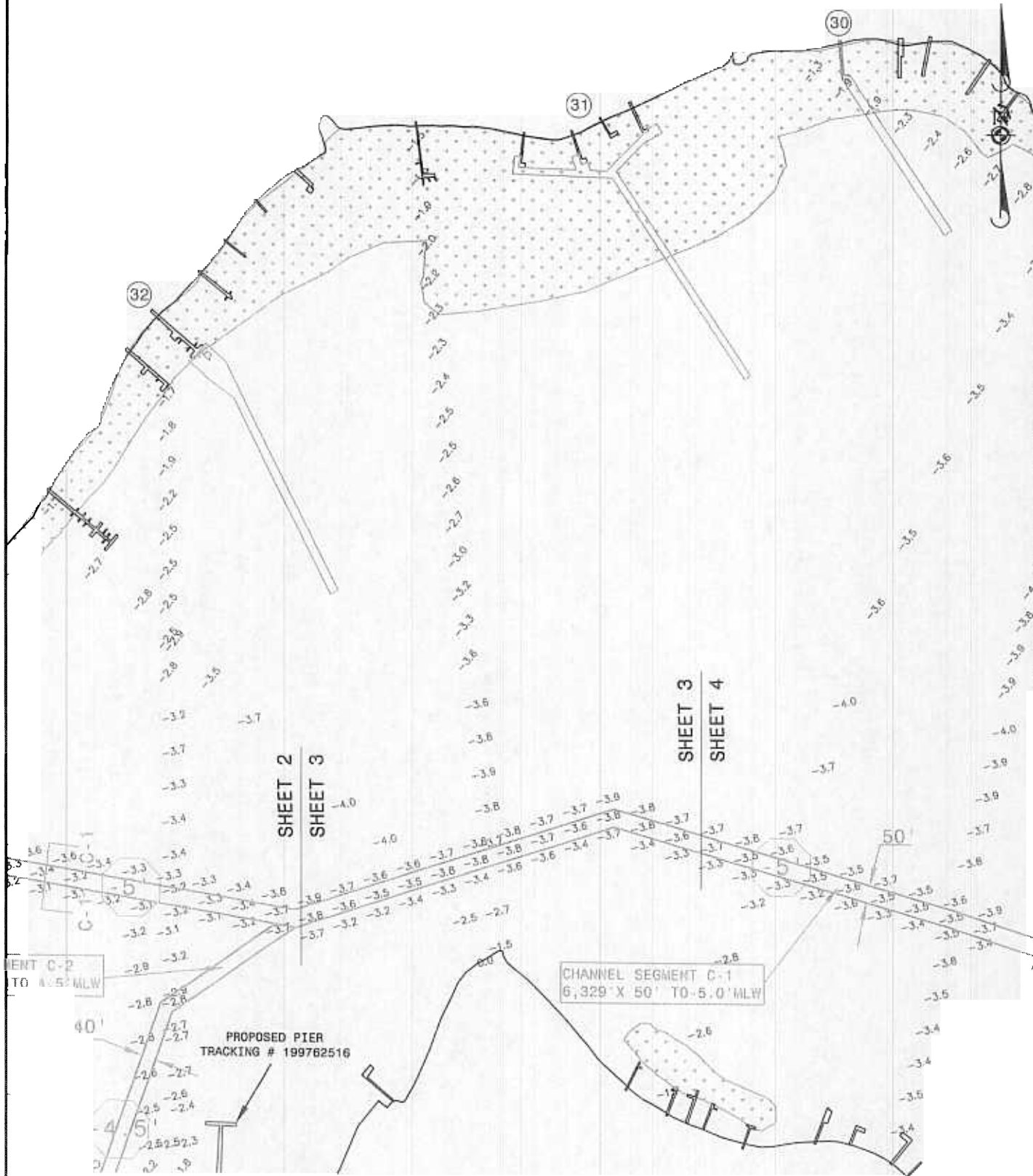
Bay and
Consultants & Designers, Inc.
"Integrating Engineering and Environment"

1321 Mercedes Drive, Suite C
Hanover, Maryland 21076

Phone: (410) 694-9401
Fax: (410) 694-9405

UPPER BUSH RIVER &
OTTER POINT CREEK

MAIN CHANNEL



0 200 400 800

1 Inch = 400 Feet

REVISED JULY 2006 SHEET 3 OF 12

LEGEND

- | | |
|-------------------------|--|
| PROPOSED COUNTY CHANNEL | COMPOSITE SAV BED OF SPRING AND SUMMER SAV |
| PROPOSED CHANNEL DEPTH | PROPOSED PIER BY OTHERS OR PROPOSED PIER EXTENSION BY OTHERS |
| SOUNDINGS BY MD DNR | SPUR APPLICANT NUMBER |
| PROPOSED SPUR CHANNEL | |



Bay and Associates
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**UPPER BUSH RIVER &
OTTER POINT CREEK**

MAIN CHANNEL



SHEET 3
SHEET 4

CHANNEL SEGMENT C-1
6,329' X 50' TO -5.0' MLW

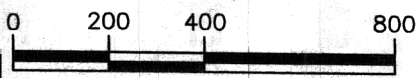
50'

C-1
C-1

42

LEGEND

- | | |
|-------------------------|--|
| PROPOSED COUNTY CHANNEL | COMPOSITE SAV BED OF SPRING AND SUMMER SAV |
| PROPOSED CHANNEL DEPTH | PROPOSED PIER BY OTHERS OR PROPOSED PIER EXTENSION BY OTHERS |
| SOUNDINGS BY MD DNR | SPUR APPLICANT NUMBER |
| PROPOSED SPUR CHANNEL | |



1 Inch = 400 Feet

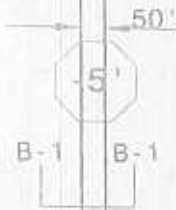
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UPPER BUSH RIVER &
OTTER POINT CREEK
MAIN CHANNEL



CHANNEL SEGMENT B-1
3,162' X 50' TO -5.0' MLW



0 200 400 800

1 Inch = 400 Feet

REVISED JULY 2006 SHEET 5 OF 12

LEGEND

- | | |
|--------------------------|--|
| PROPOSED COUNTY CHANNEL | COMPOSITE SAV BED OF SPRING AND SUMMER SAV |
| PROPOSED CHANNEL DEPTH | PROPOSED PIER BY OTHERS OR PROPOSED PIER EXTENSION BY OTHERS |
| -2.8 SOUNDINGS BY MD DNR | SPUR APPLICANT NUMBER |
| PROPOSED SPUR CHANNEL | |

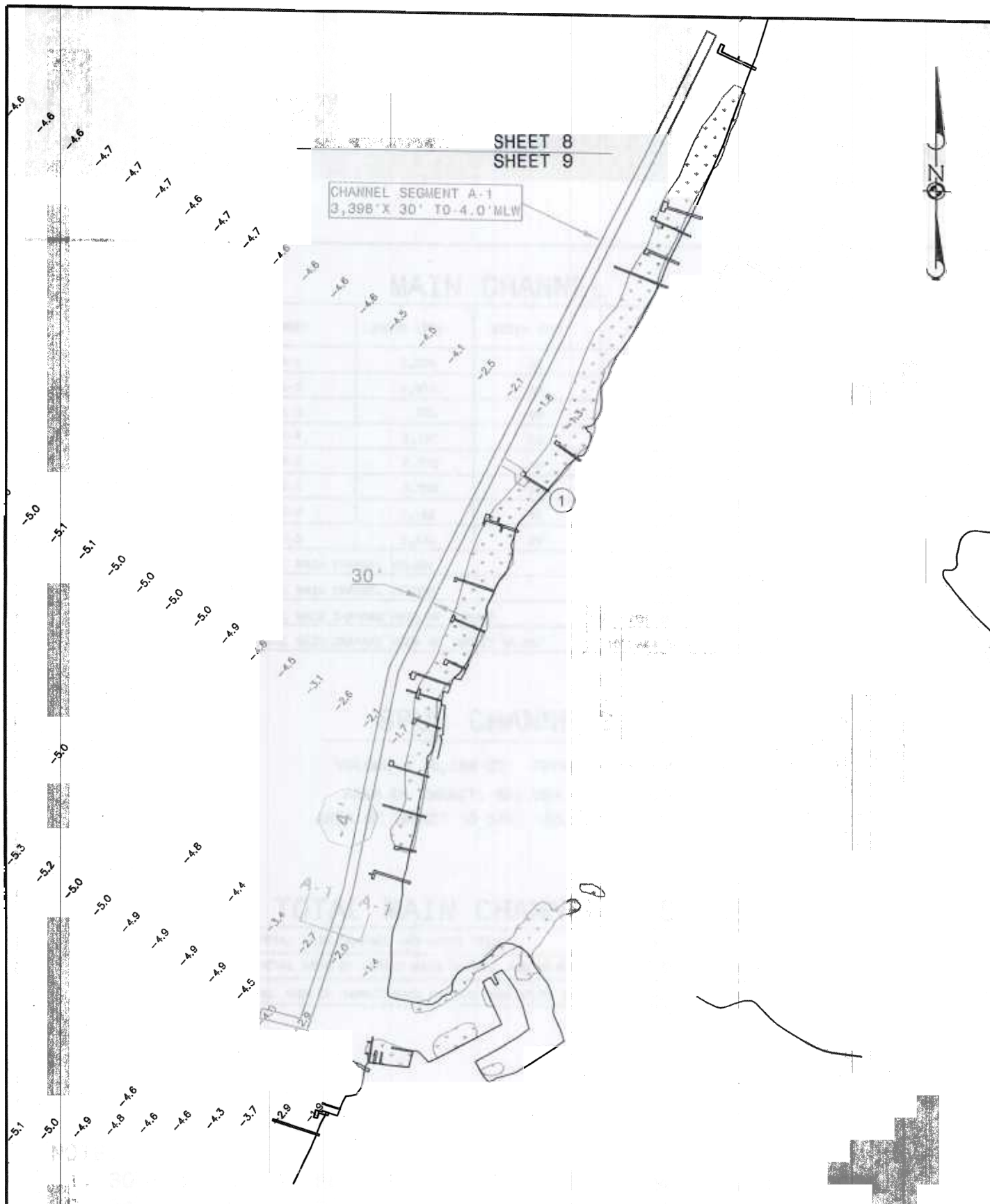
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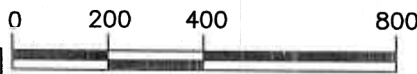
Phone: (410) 694-9401
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UPPER BUSH RIVER &
OTTER POINT CREEK

MAIN CHANNEL



LEGEND	
	PROPOSED COUNTY CHANNEL
	PROPOSED CHANNEL DEPTH
	-2.8 SOUNDINGS BY MD DNR
	PROPOSED SPUR CHANNEL
	COMPOSITE SAV BED OF SPRING AND SUMMER SAV
	PROPOSED PIER BY OTHERS OR PROPOSED PIER EXTENSION BY OTHERS
	(39) SPUR APPLICANT NUMBER



1 Inch = 400 Feet

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**UPPER BUSH RIVER &
 OTTER POINT CREEK**
MAIN CHANNEL